

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,)
v.) Criminal No. 18-228
)
FRANK CHRISTIAN,) Criminal No. 2-191
)
) Judge Cathy Bissoon
Defendant.))
)

ORDER

To the extent that Defendant's Motions (Docs. 54 & 64 at Criminal No. 18-228; Doc. 170 at Criminal No. 2-191) for reduction of sentence, based on COVID-19 related health concerns, are not moot, they are denied.

Assuming Defendant has exhausted administrative remedies, the Court acknowledges that his documented health-conditions are not entirely insignificant. Nevertheless, under 18 U.S.C. §§ 3553 and 3583(e), the Court is required to balance these factors with the ones resulting in his sentence.

Here, Defendant pleaded guilty to distributing a significant quantity of drugs at Criminal No. 18-228. He committed the aforementioned offense while on supervision at Criminal No. 2-191, based on a prior conviction for similar drug distribution charges. In imposing sentence, the Court considered his *extensive* criminal history, the serious nature of his offense, and the needs for just punishment, deterrence and rehabilitation. Those considerations remain salient, and they are not outweighed by the risks associated with Defendant remaining incarcerated. Additionally, Defendant's "exemplary" post-conviction conduct, while important and commendable, does not change the calculus—indeed, that is how the Court would hope Defendant would be conducting himself.

Therefore, consistent with the above, Defendant's Motions (Docs. 54 & 64 at Criminal No. 18-228; Doc. 170 at Criminal No. 2-191) for reduction of sentence are **DENIED**.

IT IS SO ORDERED.

February 14, 2022

s/Cathy Bissoon

Cathy Bissoon

United States District Judge

cc (via ECF email notification):

All Counsel of Record